

108TH CONGRESS  
1ST SESSION

# S. 706

To amend title 10, United States Code, to provide Survivor Benefit Plan annuities for surviving spouses of Reserves not eligible for retirement who die from a cause incurred or aggravated while on inactive-duty training.

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## IN THE SENATE OF THE UNITED STATES

MARCH 25, 2003

Mr. MCCAIN (for himself, Mr. GRAHAM of South Carolina, and Mr. ALLEN) introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to provide Survivor Benefit Plan annuities for surviving spouses of Reserves not eligible for retirement who die from a cause incurred or aggravated while on inactive-duty training.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SURVIVOR BENEFIT PLAN ANNUITIES FOR SUR-**  
 2 **VIVING SPOUSES OF RESERVES NOT ELIGI-**  
 3 **BLE FOR RETIREMENT WHO DIE FROM A**  
 4 **CAUSE INCURRED OR AGGRAVATED WHILE**  
 5 **ON INACTIVE-DUTY TRAINING.**

6 (a) SURVIVING SPOUSE ANNUITY.—Paragraph (1) of  
 7 section 1448(f) of title 10, United States Code, is amend-  
 8 ed to read as follows:

9 “(1) SURVIVING SPOUSE ANNUITY.—The Sec-  
 10 retary concerned shall pay an annuity under this  
 11 subchapter to the surviving spouse of—

12 “(A) a person who is eligible to provide a  
 13 reserve-component annuity and who dies—

14 “(i) before being notified under sec-  
 15 tion 12731(d) of this title that he has com-  
 16 pleted the years of service required for eli-  
 17 gibility for reserve-component retired pay;  
 18 or

19 “(ii) during the 90-day period begin-  
 20 ning on the date he receives notification  
 21 under section 12731(d) of this title that he  
 22 has completed the years of service required  
 23 for eligibility for reserve-component retired  
 24 pay if he had not made an election under  
 25 subsection (a)(2)(B) to participate in the  
 26 Plan; or

1                   “(B) a member of a reserve component not  
2                   described in subparagraph (A) who dies from  
3                   an injury or illness incurred or aggravated in  
4                   the line of duty during inactive-duty training.”.

5           (b) CONFORMING AMENDMENT.—The heading for  
6 subsection (f) of section 1448 of such title is amended by  
7 inserting “OR BEFORE” after “DYING WHEN”.

8           (c) EFFECTIVE DATE.—The amendments made by  
9 this section shall take effect as of September 10, 2001,  
10 and shall apply with respect to performance of inactive-  
11 duty training (as defined in section 101(d) of title 10,  
12 United States Code) on or after that date.

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